

04-639

AMENDMENT NUMBER THREE TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA REPRESENTED BY THE DEPARTMENT OF DEFENSE AND THE GOVERNMENT OF SWITZERLAND REPRESENTED BY THE DEFENSE TECHNOLOGY AND PROCUREMENT AGENCY FOR THE COPRODUCTION OF THE TOW 2 WEAPON SYSTEM THROUGH THE MANUFACTURE OF SELECTED COMPONENTS OF THE TOW 2 SYSTEM, DATED 17 JUNE 1985, AS AMENDED BY AMENDMENT NUMBER ONE, DATED 5 MARCH 1986, AND AMENDMENT NUMBER TWO, DATED 12 April 1991.

WHEREAS representatives of the Department of Defense and the Defense Procurement Agency (formerly the Defense Technology and Procurement Agency), acting for their respective governments, desire to amend the Memorandum of Understanding for the Coproduction of the TOW 2 Weapon System, dated 17 June 1985, as amended, to authorize sale, with U.S. Government (USG) prior written approval, of the Swiss TOW GEN II improved warhead to third parties, they have reached the following agreements:

Entire Agreement - Change "Defense Technology and Procurement Agency (DTPA)" to "Defense Procurement Agency (DPA)". This change should be made throughout the entire MOU, as amended.

Paragraph I.a - Add a new sentence at the end "It is understood that the selected components may be manufactured with the intent to transfer them to third parties, either as sales directly from the DPA to USG approved recipients or indirectly from the DPA through U.S. industry to third parties under USG export license arrangements."

Paragraph II.a - After "...for the Swiss Armed Forces", add ", direct transfer of selected components to third party USG approved recipients and to U.S. industry for export under USG export license arrangements to third parties".

Paragraph II.c - Delete "(DD Form 1513)".

Paragraph V - Add a new subparagraph n. "n. The DPA is authorized to sell the Swiss TOW GEN II improved warhead, either directly or indirectly through USG approved export license arrangements with U.S. industry, to eligible third parties with prior written USG consent in accordance with paragraph V.h. of this MOU. The USG or U.S. defense firms may request purchases from the DPA of this improved warhead for either U.S. defense purposes or for export to friendly foreign countries under either USG approved export license arrangements or FMS cases. Such purchases will automatically increase the scope of this MOU by those quantities purchased."

Paragraph VIII - Change "15" to "25".

THIS AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BECOMES

THIS AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BECOMES
EFFECTIVE ON THE DATE OF THE LAST SIGNATURE AND WILL REMAIN IN
EFFECT FOR THE SAME PERIOD OF TIME AS THE MOU WHICH IT AMENDS.

For the Defense Procurement
Agency for the Government of
Switzerland


M. Sonderegger, Head of Division
Infantry Weapons and Ammunition

26.01.2001

Date

Berne, Switzerland

Place

For the Department of Defense
for the Government of the
United States of America


A.R. Keltz

DEPUTY DIRECTOR

18 OCT 2000

Date

Washington, D.C.

Place